

# AUTHORIZED EMERGENCY VEHICLES

## EXCERPTS FROM THE

**CALIFORNIA VEHICLE CODE,**  
*(current through the 1997 legislative session)*

**HEALTH AND SAFETY CODE,**  
*(current through the 1997 legislative session)*

**and**

**TITLE 13, CALIFORNIA CODE OF REGULATIONS**  
*(current through Register 97, No. 50)*

This pamphlet contains excerpts from selected statutes and regulations pertaining to the operation of certain authorized emergency vehicles.

*The California Vehicle Code is available from  
local offices of the Department of Motor Vehicles*

*Contact the Department of Health Services for copies of  
the Health and Safety Code*

*The full text of Title 13, California Code of Regulations, is available from:*

*Barclays Law Publishers  
P.O. Box 95767  
Chicago, IL 60694-5767  
(415) 732-8800*

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## TABLE OF CONTENTS

### EXCERPTS FROM THE CALIFORNIA VEHICLE CODE

#### GENERAL PROVISIONS

False Statements .....	1
Legislative Policy: Red Lights and Sirens .....	1
False Information to Peace Officer .....	1

#### WORDS AND PHRASES DEFINED

Authorized Emergency Vehicle .....	1
Legal Owner .....	1
Motor Truck .....	2
Owner .....	2
Truck Tractor .....	2
Unladen Weight .....	2
Water Tender Vehicle .....	2

#### ADMINISTRATION

Authorized Emergency Vehicle Permit .....	2
Suspension or Revocation of Permit .....	3
Obedience to Traffic Officers .....	3
Inspection by Patrol Members .....	3

#### REGISTRATION OF VEHICLES AND CERTIFICATES OF TITLE

Firefighting Vehicle .....	3
Fire Vehicles—Used For Fire-fighting or as Ambulances .....	4

#### FINANCIAL RESPONSIBILITY LAWS

Evidence of Financial Responsibility .....	4
Establishing Financial Responsibility .....	5
Proof Required .....	5

#### CIVIL LIABILITY

Liability of a Public Entity .....	5
Authorized Emergency Vehicles .....	5
Liability of Private Fire Department .....	5
Liability of Private Owners .....	6

#### RULES OF THE ROAD

Exemption of Authorized Emergency Vehicles .....	6
Effect of Exemption .....	6

Following Emergency Vehicles .....	6
Authorized Emergency Vehicles .....	6
Effect of Exemption .....	7
Basic Speed Law .....	7
Prima Facie Speed Limits .....	7
Reckless Driving.....	8
Reckless Driving: Bodily Injury .....	8
Driving Under Influence of Alcohol or Drugs.....	9
Driving Under Influence of Alcohol or Drugs Causing Injury .....	10

## **EQUIPMENT OF VEHICLES**

Application of Divisions .....	11
Vehicle Not Equipped or Unsafe.....	11
Vehicle With Unlawful Lamps .....	11
Unlawful Operation After Notice by Officer.....	11
Sale, Transfer or Installation of Unlawful Equipment.....	11
Compliance With Lighting equipment Mounting Regulations .....	11
Utility Flood and Loading Lamps.....	11
Flashing Lights .....	12
Permitted Flashing Lights .....	12
Warning Lamps on Authorized Emergency Vehicles.....	12
Flashing Headlamps on Authorized Emergency Vehicles .....	12
Authorized Emergency Vehicles: Additional Lights.....	13
Additional Warning Lights on Authorized Emergency Vehicles.....	13
Use of Flashing Amber Warning Light .....	13
Use of Red Warning Light .....	13
Vehicle Equipment .....	13
Required Laboratory Tests .....	13
Sirens .....	14
Vehicle Resembling Law Enforcement Vehicle .....	14
Illegal Use of Light Bars .....	14
Identification Required .....	14
Name and Trademark .....	14
Exemption .....	15
Fire Departments .....	15

## **OFFENSES AND PROSECUTION**

Misdemeanors .....	15
Owner's Responsibility .....	15

## **EXCERPTS FROM THE HEALTH AND SAFETY CODE**

### **FIRE COMPANIES IN UNINCORPORATED TOWNS - ORGANIZATION**

Certificate; signatures; recording .....	17
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Contents of certificate .....	17
Renewal .....	17
Maximum number of companies .....	17
Members of companies; maximum number .....	17
Officers; foreman; secretary and treasurer .....	17
Counties with population of 1,000,000 or more; regulation of formation and continued existence of fire companies by board of supervisors .....	17

## **EXCERPTS FROM TITLE 13, CALIFORNIA CODE OF REGULATIONS**

### **WARNING LAMPS**

General Lighting Equipment .....	19
Installation and Maintenance .....	19
Mounting of Aftermarket Devices .....	19
Warning Lamps .....	19
Scope .....	19
Definitions .....	19
Classification of Warning Lamps .....	20
Type of Warning Lamps Used on Emergency Vehicles .....	20

### **SIRENS**

Scope .....	20
Definitions .....	20
Identification Markings .....	21
Performance Requirements .....	21
Installation Requirements .....	21

### **AUTHORIZED EMERGENCY VEHICLES—PERMITS**

Scope of Regulations .....	21
Permit Issuance and Retention .....	22
Special Requirements .....	22
Prohibitions .....	22
Permit Denial, suspension, or Revocation .....	23

## EXCERPTS FROM THE CALIFORNIA VEHICLE CODE

### GENERAL PROVISIONS

#### ***False Statements***

20. It is unlawful to use a false or fictitious name, or to knowingly make any false statement or knowingly conceal any material fact in any document filed with the Department of Motor Vehicles or the Department of the California Highway Patrol.

#### ***Legislative Policy: Red Lights and Sirens***

30. It is declared as a matter of legislative policy that red lights and sirens on vehicles should be restricted to authorized emergency vehicles engaged in police, fire and lifesaving services; and that other types of vehicles which are engaged in activities which create special hazards upon the highways should be equipped with flashing amber warning lamps.

#### ***False Information to Peace Officer***

31. No person shall give, either orally or in writing, information to a peace officer while in the performance of his duties under the provisions of this code when such person knows that the information is false.

### DIVISION 1. WORDS AND PHRASES DEFINED

#### ***Authorized Emergency Vehicle***

165. An authorized emergency vehicle is:

(a) Any publicly owned and operated ambulance, lifeguard, or lifesaving equipment or any privately owned or operated ambulance licensed by the Commissioner of the California Highway Patrol to operate in response to emergency calls.

(b) Any publicly owned vehicle operated by the following persons, agencies, or organizations:

(1) Any federal, state, or local agency, department, or district employing peace officers as that term is defined in Chapter 4.5 (commencing with Section 830) of Part 2 of Title 3 of the Penal Code, for use by those officers in the performance of their duties.

(2) Any forestry or fire department of any public agency or fire department organized as provided in the Health and Safety Code.

(c) Any vehicle owned by the state, or any bridge and highway district, and equipped and used either for fighting fires, or towing or servicing other vehicles, caring for injured persons, or repairing damaged lighting or electrical equipment.

(d) Any state-owned vehicle used in responding to emergency fire, rescue or communications calls and operated either by the Office of Emergency Services or by any public agency or industrial fire department to which the Office of Emergency Services has assigned the vehicle.

(e) Any vehicle owned or operated by any department or agency of the United States government when the vehicle is used in responding to emergency fire, ambulance, or lifesaving calls or is actively engaged in law enforcement work.

(f) Any vehicle for which an authorized emergency vehicle permit has been issued by the Commissioner of the California Highway Patrol.

#### ***Legal Owner***

370. A "legal owner" is a person holding a security interest in a vehicle which is subject to the provisions of the Uniform Commercial Code, or the lessor of a vehicle to the State or to any county, city, district, or political subdivision of the State, or to the United States, under a lease, lease-sale, or rental-

purchase agreement which grants possession of the vehicle to the lessee for a period of 30 consecutive days or more.

### ***Motor Truck***

**410.** A "motor truck" or "motortruck" is a motor vehicle designed, used, or maintained primarily for the transportation of property.

### ***Owner***

**460.** An "owner" is a person having all the incidents of ownership, including the legal title of a vehicle whether or not such person lends, rents, or creates a security interest in the vehicle; the person entitled to the possession of a vehicle as the purchaser under a security agreement; or the State, or any county, city, district, or political subdivision of the State, or the United States, when entitled to the possession and use of a vehicle under a lease, lease-sale, or rental-purchase agreement for a period of 30 consecutive days or more.

### ***Truck Tractor***

**655.** (a) A "truck tractor" is a motor vehicle designed and used primarily for drawing other vehicles and not so constructed as to carry a load, other than a part of the weight of the vehicle and the load so drawn. As used in this section, "load" does not include items carried on the truck tractor in conjunction with the operation of the vehicle if the load carrying space for these items does not exceed 34 square feet. . . .

### ***Unladen Weight***

**660.** The "unladen weight" of a vehicle is the weight equipped and ready for operation on the road including the body, fenders, oil in motor, radiator full of water, with five gallons of gasoline or equivalent weight of other motor fuel; also equipment required by law, and unless exempted under Section 66l, any special cabinets, boxes or body parts permanently attached to the vehicle, and any machinery, equipment or attachment which is attendant to the efficient operation of the body or vehicle. . . .

### ***Water Tender Vehicle***

**676.5.** A "water tender vehicle" is a vehicle designed to carry not less than 1,500 gallons of water and used primarily for transporting and delivering water to be applied by other vehicles or pumping equipment at fire emergency scenes.

## **DIVISION 2. ADMINISTRATION**

### ***Authorized Emergency Vehicle Permit***

**2416.** (a) The Commissioner of the California Highway Patrol may issue authorized emergency vehicle permits only for the following vehicles, and then only upon a finding in each case that the vehicle is used in responding to emergency calls for fire or law enforcement or for the immediate preservation of life or property or for the apprehension of law violators:

(1) Any vehicle maintained in whole or in part by the state, a county or a city and privately owned and operated by a marshal, deputy marshal, or person who is a member of, and who receives salary from, and is regularly employed by, a police department or sheriff's department, provided the state, county or city does not furnish to that person a publicly owned authorized emergency vehicle.

(2) Any vehicle owned and operated by a public utility, used primarily to accomplish emergency repairs to utility facilities or used primarily by railroad police officers, who are commissioned by the Governor, in the performance of their duties.

(3) Firefighting or rescue equipment designed and operated exclusively as such.

(4) Any vehicle operated by the chief, assistant chief, or one other uniformed person designated by the chief of a fire department organized as provided in the Health and Safety Code or the Government Code or pursuant to special act of the Legislature.

(5) Any vehicle of an air pollution control district used to enforce provisions of law relating to air pollution from motor vehicles.

(6) Any vehicle operated by the chief of any fire department established on any base of the armed forces of the United States.

(7) Any vehicle owned and operated by any fire company organized pursuant to Part 4 (commencing with Section 14825) of the Health and Safety Code.

(8) Privately owned ambulances licensed pursuant to Chapter 2.5 (commencing with Section 2500).

(9) Vehicles other than privately owned ambulances used by privately owned ambulance operators exclusively to transport medical supplies, lifesaving equipment, or personnel to the scene of an emergency when a request for medical supplies, lifesaving equipment, or personnel has been made by any person or public agency responsible for providing emergency medical transportation. These vehicles shall display a sign or lettering not less than two and one-half inches in height, in a color providing a sharp contrast to its background, on each side showing the name of the ambulance operator.

(10) Any vehicle owned and operated by an office or department of a city, county, or district which is designated by an ordinance adopted by the governing body of that local agency as a hazardous materials response team vehicle for response to hazardous materials emergencies.

(b) The commissioner may adopt and enforce regulations to implement this section.

(c) Violation of any regulation adopted by the commissioner pursuant to this section is a misdemeanor.

### ***Suspension or Revocation of Permit***

**2417.** (a) The commissioner may suspend or revoke any permit issued for an authorized emergency vehicle under the following conditions:

(1) The vehicle is operated in violation of any of the provisions of this code.

(2) The vehicle is operated in violation of the rules and regulations relating to authorized emergency vehicles as promulgated by the commissioner.

(3) The vehicle is not equipped as required by this code.

(b) The permittee of any authorized emergency vehicle whose permit has been suspended or revoked shall be entitled, upon request, to a hearing in accordance with Chapter 5 (commencing with Section 11500) of Part 1 of Division 3 of Title 2 of the Government Code.

(c) When any authorized emergency vehicle permit has been suspended or revoked under provisions of this section, any additional authorized emergency vehicle permit issued in the name of the permittee may be likewise suspended or revoked.

### ***Obedience to Traffic Officers***

**2800.** It is unlawful to willfully fail or refuse to comply with any lawful order, signal, or direction of any peace officer, as defined in Chapter 4.5 (commencing with Section 830) of Title 3 of Part 2 of the Penal Code, when that peace officer is in uniform and is performing duties under any of the provisions of this code, or to refuse to submit to any lawful inspection under this code.

### ***Inspection by Patrol Members***

**2804.** A member of the California Highway Patrol upon reasonable belief that any vehicle is being operated in violation of any provisions of this code or is in such unsafe condition as to endanger any person, may require the driver of the vehicle to stop and submit to an inspection of the vehicle, and its equipment, license plates, and registration card.

## **DIVISION 3. REGISTRATION OF VEHICLES AND CERTIFICATES OF TITLE**

### ***Firefighting Vehicle***

**4015.** Any privately owned vehicle designed or capable of being used for firefighting purposes when operated upon a highway only in responding to, and returning from, emergency fire calls is exempt from registration.



### ***Fire Vehicles—Used For Fire-fighting or as Ambulances***

**9104.** The fees specified in this code except fees for duplicate plates, certificates, or cards need not be paid for any vehicle of a type subject to registration under this code owned by a public fire department organized as a nonprofit corporation and used exclusively for firefighting or rescue purposes or exclusively as an ambulance, nor for any vehicle owned by a voluntary fire department organized under the laws of this state and used exclusively for firefighting or rescue purposes or exclusively as an ambulance.

## **DIVISION 7. FINANCIAL RESPONSIBILITY LAWS**

### ***Evidence of Financial Responsibility***

**16020.** (a) Every driver and every owner of a motor vehicle shall at all times be able to establish financial responsibility pursuant to Section 16021, and shall at all times carry in the vehicle evidence of the form of financial responsibility in effect for the vehicle.

(b) "Evidence of financial responsibility" means any of the following:

(1) The name of the insurance or surety company that issued a policy or bond for the vehicle that meets the requirements of Section 16056 and is currently in effect, and the number of the insurance policy or surety bond.

(2) If the owner is a self-insurer, as provided in Section 16052 or a depositor, as provided in Section 16054.2, the certificate or deposit number issued by the department.

(3) An insurance covering note, as specified in Section 382 of the Insurance Code.

(4) A showing that the vehicle is owned or leased by, or under the direction of, the United States or any public entity, as defined in Section 811.2 of the Government Code.

(c) For purposes of this section, "evidence of financial responsibility" shall be in writing, and established by writing the name of the insurance company or surety company and the policy number on the vehicle registration card issued by the department.

(d) For purposes of this section, "evidence of financial responsibility" also includes any of the following:

(1) The number of an insurance policy or surety bond that was in effect at the time of the accident, if that information is contained in the vehicle registration records of the department. . . .

(f) This section shall become operative on January 1, 1997.

(g) This section shall remain in effect only until January 1, 2000, or until the date determined by the director pursuant to paragraph (2) of subdivision (a) of Section 1680, whichever is later, and as of that date is repealed, unless a later enacted statute, which is enacted on or before January 1, 2000, deletes or extends that date.

**NOTE: This section shall remain in effect only until January 1, 2000, or until the date determined by the director pursuant to paragraph (2) of subdivision (a) of Section 1680, whichever is later, and as of that date becomes inoperative and the following section becomes effective.**

**16020.** (a) Every driver and every owner of a motor vehicle shall at all times be able to establish financial responsibility pursuant to Section 16021, and shall at all times carry in the vehicle evidence of the form of financial responsibility in effect for the vehicle.

(b) "Evidence of financial responsibility" means any of the following:

(1) The name of the insurance or surety company that issued a policy or bond for the vehicle that meets the requirements of Section 16056 and is currently in effect, and the number of the insurance policy or surety bond.

(2) If the owner is a self-insurer, as provided in Section 16052 or a depositor, as provided in Section 16054.2, the certificate or deposit number issued by the department.

(3) An insurance covering note, as specified in Section 382 of the Insurance Code.

(4) A showing that the vehicle is owned or leased by, or under the direction of, the United States or any public entity, as defined in Section 811.2 of the Government Code. . . .

(d) For purposes of this section, "evidence of financial responsibility" shall be in writing, and established by writing the name of the insurance company or surety company and the policy number on the vehicle registration card issued by the department.

(e) This section shall become operative on January 1, 2000, or on the date determined by the director pursuant to paragraph (2) of subdivision (a) of Section 1680, whichever is later.

### ***Establishing Financial Responsibility***

**16021.** Financial responsibility of the driver or owner is established if the driver or owner of the vehicle involved in an accident described in Section 16000 is:

(a) A self-insurer under the provisions of this division.

(b) An insured or obligee under a form of insurance or bond which complies with the requirements of this division and which covers the driver for the vehicle involved in the accident.

(c) The United States of America, this state, any municipality or subdivision thereof, or the lawful agent thereof.

(d) A depositor in compliance with subdivision (a) of Section 16054.2.

(e) In compliance with the requirements authorized by the department by any other manner which effectuates the purposes of this chapter.

### ***Proof Required***

**16430.** Proof of financial responsibility when required by this code means proof of financial responsibility resulting from the ownership or operation of a motor vehicle and arising by reason of personal injury to, or death of, any one person, of at least fifteen thousand dollars (\$15,000), and, subject to the limit of fifteen thousand dollars (\$15,000) for each person injured or killed, of at least thirty thousand dollars (\$30,000) for the injury to, or the death of, two or more persons in any one accident, and for damages to property (in excess of five hundred dollars (\$500)), of at least five thousand dollars (\$5,000) resulting from any one accident. Proof of financial responsibility may be given in any manner authorized in this chapter.

## **DIVISION 9. CIVIL LIABILITY**

### ***Liability of a Public Entity***

**17001.** A public entity is liable for death or injury to person or property proximately caused by a negligent or wrongful act or omission in the operation of any motor vehicle by an employee of the public entity acting within the scope of his employment.

### ***Authorized Emergency Vehicles***

**17004.** A public employee is not liable for civil damages on account of personal injury to or death of any person or damage to property resulting from the operation, in the line of duty, of an authorized emergency vehicle while responding to an emergency call or when in the immediate pursuit of an actual or suspected violator of the law, or when responding to but not upon returning from a fire alarm or other emergency call.

### ***Liability of Private Fire Department***

**17004.5.** Any private firm or corporation, or employee thereof, which maintains a fire department and has entered into a mutual aid agreement pursuant to Section 13855, 14095, or 14455.5 of the Health and Safety Code shall have the same immunity from liability for civil damages on account of personal injury to or death of any person or damage to property resulting from the operation of an authorized emergency vehicle while responding to, but not upon returning from, a fire alarm or other emergency call as is provided by law for the district and its employees with which the firm or corporation has entered into a mutual aid agreement, except when the act or omission causing the personal injury to or death of any person or damage to property occurs on property under the control of such firm or corporation.

### ***Liability of Private Owners***

**17150.** Every owner of a motor vehicle is liable and responsible for death or injury to person or property resulting from a negligent or wrongful act or omission in the operation of the motor vehicle, in the business of the owner or otherwise, by any person using or operating the same with the permission, express or implied, of the owner.

## **DIVISION 11. RULES OF THE ROAD**

### ***Exemption of Authorized Emergency Vehicles***

**21055.** The driver of an authorized emergency vehicle is exempt from Chapter 2 (commencing with Section 21350), Chapter 3 (commencing with Section 21650), Chapter 4 (commencing with Section 21800), Chapter 5 (commencing with Section 21950), Chapter 6 (commencing with 22100), Chapter 7 (commencing with Section 22348), Chapter 8 (commencing with Section 22450), Chapter 9 (commencing with Section 22500), and Chapter 10 (commencing with Section 22650) of this division, and Article 3 (commencing with Section 38305) and Article 4 (commencing with Section 38312) of Chapter 5 of Division 16.5, under all of the following conditions:

(a) If the vehicle is being driven in response to an emergency call or while engaged in rescue operations or is being used in the immediate pursuit of an actual or suspected violator of the law or is responding to, but not returning from, a fire alarm, except that fire department vehicles are exempt whether directly responding to an emergency call or operated from one place to another as rendered desirable or necessary by reason of an emergency call and operated to the scene of the emergency or operated from one fire station to another or to some other location by reason of the emergency call.

(b) If the driver of the vehicle sounds a siren as may be reasonably necessary and the vehicle displays a lighted red lamp visible from the front as a warning to other drivers and pedestrians.

A siren shall not be sounded by an authorized emergency vehicle except when required under this section.

### ***Effect of Exemption***

**21056.** Section 21055 does not relieve the driver of a vehicle from the duty to drive with due regard for the safety of all persons using the highway, nor protect him from the consequences of an arbitrary exercise of the privileges granted in that section.

### ***Following Emergency Vehicles***

**21706.** No motor vehicle, except an authorized emergency vehicle, shall follow within 300 feet of any authorized emergency vehicle being operated under the provisions of Section 21055.

This section shall not apply to a police or traffic officer when serving as an escort within the purview of Section 21057.

### ***Authorized Emergency Vehicles***

**21806.** Upon the immediate approach of an authorized emergency vehicle which is sounding a siren and which has at least one lighted lamp exhibiting red light that is visible, under normal atmospheric conditions, from a distance of 1,000 feet to the front of the vehicle, the surrounding traffic shall, except as otherwise directed by a traffic officer, do the following:

(a) (1) Except as required under paragraph (2), the driver of every other vehicle shall yield the right-of-way and shall immediately drive to the right-hand edge or curb of the highway, clear of any intersection, and thereupon shall stop and remain stopped until the authorized emergency vehicle has passed.

(2) A person driving a vehicle in an exclusive or preferential use lane shall exit that lane immediately upon determining that the exit can be accomplished with reasonable safety.

(b) The operator of every street car shall immediately stop the street car, clear of any intersection, and remain stopped until the authorized emergency vehicle has passed.

(c) All pedestrians upon the highway shall proceed to the nearest curb or place of safety and remain there until the authorized emergency vehicle has passed.

### ***Effect of Exemption***

**21807.** The provisions of Section 21806 shall not operate to relieve the driver of an authorized emergency vehicle from the duty to drive with due regard for the safety of all persons and property.

### ***Basic Speed Law***

**22350.** No person shall drive a vehicle upon a highway at a speed greater than is reasonable or prudent having due regard for weather, visibility, the traffic on, and the surface and width of, the highway, and in no event at a speed which endangers the safety of persons or property.

### ***Prima Facie Speed Limits***

**22352.** (a) The prima facie limits are as follows and shall be applicable unless changed as authorized in this code and, if so changed, only when signs have been erected giving notice thereof:

(1) Fifteen miles per hour:

(A) When traversing a railway grade crossing, if during the last 100 feet of the approach to the crossing the driver does not have a clear and unobstructed view of the crossing and of any traffic on the railway for a distance of 400 feet in both directions along the railway. This subdivision does not apply in the case of any railway grade crossing where a human flagman is on duty or a clearly visible electrical or mechanical railway crossing signal device is installed but does not then indicate the immediate approach of a railway train or car.

(B) When traversing any intersection of highways if during the last 100 feet of the driver's approach to the intersection the driver does not have a clear and unobstructed view of the intersection and of any traffic upon all of the highways entering the intersection for a distance of 100 feet along all those highways, except at an intersection protected by stop signs or yield right-of-way signs or controlled by official traffic control signals.

(C) On any alley.

(2) Twenty-five miles per hour:

(A) On any highway other than a state highway, in any business or residence district unless a different speed is determined by local authority under procedures set forth in this code.

(B) When passing a school building or the grounds thereof, contiguous to a highway and posted with a standard "SCHOOL" warning sign, while children are going to or leaving the school either during school hours or during the noon recess period. The prima facie limit shall also apply when passing any school grounds which are not separated from the highway by a fence, gate or other physical barrier while the grounds are in use by children and the highway is posted with a standard "SCHOOL" warning sign.

(C) When passing a senior center or other facility primarily used by senior citizens, contiguous to a street other than a state highway and posted with a standard "SENIOR" warning sign. A local authority is not required to erect any sign pursuant to this paragraph until donations from private sources covering those costs are received and the local agency makes a determination that the proposed signing should be implemented. A local authority may, however, utilize any other funds available to it to pay for the erection of those signs.

(3) Thirty-five miles per hour on any highway, other than a state highway, in any moderate density residential district, as defined in subdivision (b) of Section 22352.1, when posted with a sign giving notice of that speed limit, unless a different speed is determined by local authority under procedures set forth in this code.

(b) This section shall remain in effect only until March 1, 2001, and as of that date is repealed, unless a later enacted statute, that is enacted on or before March 1, 2001, deletes or extends that date.

**NOTE: This section shall remain in effect only until March 1, 2001, and as of that date becomes inoperative and the following section becomes effective.**

**22352.** (a) The prima facie limits are as follows and shall be applicable unless changed as authorized in this code and, if so changed, only when signs have been erected giving notice thereof:

(1) Fifteen miles per hour:

(A) When traversing a railway grade crossing, if during the last 100 feet of the approach to the crossing the driver does not have a clear and unobstructed view of the crossing and of any traffic on the railway for a distance of 400 feet in both directions along the railway. This subdivision does not apply in the case of any railway grade crossing where a human flagman is on duty or a clearly visible electrical or mechanical railway crossing signal device is installed but does not then indicate the immediate approach of a railway train or car.

(B) When traversing any intersection of highways if during the last 100 feet of the driver's approach to the intersection the driver does not have a clear and unobstructed view of the intersection and of any traffic upon all of the highways entering the intersection for a distance of 100 feet along all those highways, except at an intersection protected by stop signs or yield right-of-way signs or controlled by official traffic control signals.

(C) On any alley.

(2) Twenty-five miles per hour:

(A) On any highway other than a state highway, in any business or residence district unless a different speed is determined by local authority under procedures set forth in this code.

(B) When passing a school building or the grounds thereof, contiguous to a highway and posted with a standard "SCHOOL" warning sign, while children are going to or leaving the school either during school hours or during the noon recess period. The prima facie limit shall also apply when passing any school grounds which are not separated from the highway by a fence, gate, or other physical barrier while the grounds are in use by children and the highway is posted with a standard "SCHOOL" warning sign.

(C) When passing a senior center or other facility primarily used by senior citizens, contiguous to a street other than a state highway and posted with a standard "SENIOR" warning sign. A local authority is not required to erect any sign pursuant to this paragraph until donations from private sources covering those costs are received and the local agency makes a determination that the proposed signing should be implemented. A local authority may, however, utilize any other funds available to it to pay for the erection of those signs.

(b) This section shall become operative on March 1, 2001.

### ***Reckless Driving***

**23103.** (a) Any person who drives any vehicle upon a highway in willful or wanton disregard for the safety of persons or property is guilty of reckless driving.

(b) Any person who drives any vehicle in any offstreet parking facility, as defined in subdivision (d) of Section 12500, in willful or wanton disregard for the safety of persons or property is guilty of reckless driving.

(c) Persons convicted of the offense of reckless driving shall be punished by imprisonment in the county jail for not less than five days nor more than 90 days or by a fine of not less than one hundred forty-five dollars (\$145) nor more than one thousand dollars (\$1,000), or by both fine and imprisonment, except as provided in Section 23104.

### ***Reckless Driving: Bodily Injury***

**23104.** (a) Except as provided in subdivision (b), whenever reckless driving of a vehicle proximately causes bodily injury to any person other than the driver, the person driving the vehicle shall, upon conviction thereof, be punished by imprisonment in the county jail for not less than 30 days nor more than six months or by a fine of not less than two hundred twenty dollars (\$220) nor more than one thousand dollars (\$1,000), or by both the fine and imprisonment.

(b) Any person convicted of reckless driving which proximately causes great bodily injury, as defined in Section 12022.7 of the Penal Code, to any person other than the driver, who previously has been convicted of a violation of Section 23103, 23104, 23109, 23152, or 23153, shall be punished by imprisonment in the state prison, by imprisonment in the county jail for not less than 30 days nor more than six months or by a fine of not less than two hundred twenty dollars (\$220) nor more than one thousand dollars (\$1,000) or by both the fine and imprisonment.

### ***Driving Under Influence of Alcohol or Drugs***

**23152.** (a) It is unlawful for any person who is under the influence of any alcoholic beverage or drug, or under the combined influence of any alcoholic beverage and drug, to drive a vehicle.

(b) It is unlawful for any person who has 0.08 percent or more, by weight, of alcohol in his or her blood to drive a vehicle.

For purposes of this article and Section 34501.16, percent, by weight, of alcohol in a person's blood is based upon grams of alcohol per 100 milliliters of blood or grams of alcohol per 210 liters of breath.

In any prosecution under this subdivision, it is a rebuttable presumption that the person had 0.08 percent or more, by weight, of alcohol in his or her blood at the time of driving the vehicle if the person had 0.08 percent or more, by weight, of alcohol in his or her blood at the time of the performance of a chemical test within three hours after the driving.

(c) It is unlawful for any person who is addicted to the use of any drug to drive a vehicle. This subdivision shall not apply to a person who is participating in a narcotic treatment program approved pursuant to Article 3 (commencing with Section 11875) of Chapter 1 of Part 3 of Division 10.5 of the Health and Safety Code.

(d) It is unlawful for any person who has 0.04 percent or more, by weight, of alcohol in his or her blood to drive a commercial motor vehicle, as defined in Section 15210.

In any prosecution under this subdivision, it is a rebuttable presumption that the person had 0.04 percent or more, by weight, of alcohol in his or her blood at the time of driving the vehicle if the person had 0.04 percent or more, by weight, of alcohol in his or her blood at the time of the performance of a chemical test within three hours after the driving.

(e) This section shall become operative on January 1, 1992, and shall remain operative until the director determines that federal regulations adopted pursuant to the Commercial Motor Vehicle Safety Act of 1986 (49 U.S.C. Sec. 2701 et seq.) contained in Section 383.51 or 391.15 of Title 49 of the Code of Federal Regulations do not require the state to prohibit operation of commercial vehicles when the operator has a concentration of alcohol in his or her blood of 0.04 percent by weight or more.

(f) The director shall submit a notice of the determination under subdivision (e) to the Secretary of State, and this section shall be repealed upon the receipt of that notice by the Secretary of State.

**NOTE: This section remains in effect only until notice by the Secretary of State, at which time it is repealed and the following section becomes effective.**

**23152.** (a) It is unlawful for any person who is under the influence of any alcoholic beverage or drug, or under the combined influence of any alcoholic beverage and drug, to drive a vehicle.

(b) It is unlawful for any person who has 0.08 percent or more, by weight, of alcohol in his or her blood to drive a vehicle.

For purposes of this article and Section 34501.16, percent, by weight, of alcohol in a person's blood is based upon grams of alcohol per 100 milliliters of blood or grams of alcohol per 210 liters of breath.

In any prosecution under this subdivision, it is a rebuttable presumption that the person had 0.08 percent or more, by weight, of alcohol in his or her blood at the time of driving the vehicle if the person had 0.08 percent or more, by weight, of alcohol in his or her blood at the time of the performance of a chemical test within three hours after the driving.

(c) It is unlawful for any person who is addicted to the use of any drug to drive a vehicle. This subdivision shall not apply to a person who is participating in a narcotic treatment program approved pursuant to Article 3 (commencing with Section 11875) of Chapter 1 of Part 3 of Division 10.5 of the Health and Safety Code.

(d) This section shall become operative only upon the receipt by the Secretary of State of the notice specified in subdivision (f) of Section 23152, as added by Section 25 of Chapter 1114 of the Statutes of 1989.

### ***Driving Under Influence of Alcohol or Drugs Causing Injury***

**23153.** (a) It is unlawful for any person, while under the influence of any alcoholic beverage or drug, or under the combined influence of any alcoholic beverage and drug, to drive a vehicle and concurrently do any act forbidden by law, or neglect any duty imposed by law in driving the vehicle, which act or neglect proximately causes bodily injury to any person other than the driver.

(b) It is unlawful for any person, while having 0.08 percent or more, by weight, of alcohol in his or her blood to drive a vehicle and concurrently do any act forbidden by law, or neglect any duty imposed by law in driving the vehicle, which act or neglect proximately causes bodily injury to any person other than the driver.

In any prosecution under this subdivision, it is a rebuttable presumption that the person had 0.08 percent or more, by weight, of alcohol in his or her blood at the time of driving the vehicle if the person had 0.08 percent or more, by weight, of alcohol in his or her blood at the time of the performance of a chemical test within three hours after driving.

(c) In proving the person neglected any duty imposed by law in driving the vehicle, it is not necessary to prove that any specific section of this code was violated.

(d) It is unlawful for any person, while having 0.04 percent or more, by weight, of alcohol in his or her blood to drive a commercial motor vehicle, as defined in Section 15210, and concurrently to do any act forbidden by law or neglect any duty imposed by law in driving the vehicle, which act or neglect proximately causes bodily injury to any person other than the driver.

In any prosecution under this subdivision, it is a rebuttable presumption that the person had 0.04 percent or more, by weight, of alcohol in his or her blood at the time of driving the vehicle if the person had 0.04 percent or more, by weight, of alcohol in his or her blood at the time of performance of a chemical test within three hours after driving.

(e) This section shall become operative on January 1, 1992, and shall remain operative until the director determines that federal regulations adopted pursuant to the Commercial Motor Vehicle Act of 1986 (49 U.S.C. Sec. 2701 et seq.) contained in Section 383.51 or 391.15 of Title 49 of the Code of Federal Regulations do not require the state to prohibit operation of commercial vehicles when the operator has a concentration of alcohol in his or her blood of 0.04 percent by weight or more.

(f) The director shall submit a notice of the determination under subdivision (e) to the Secretary of State, and this section shall be repealed upon the receipt of that notice by the Secretary of State.

**NOTE: This section remains in effect only until notice by the Secretary of State, at which time it is repealed and the following section becomes effective.**

**23153.** (a) It is unlawful for any person, while under the influence of any alcoholic beverage or drug, or under the combined influence of any alcoholic beverage and drug, to drive a vehicle and concurrently do any act forbidden by law or neglect any duty imposed by law in driving the vehicle, which act or neglect proximately causes bodily injury to any person other than the driver.

(b) It is unlawful for any person, while having 0.08 percent or more, by weight, of alcohol in his or her blood to drive a vehicle and concurrently do any act forbidden by law or neglect any duty imposed by law in driving the vehicle, which act or neglect proximately causes bodily injury to any person other than the driver.

In any prosecution under this subdivision, it is a rebuttable presumption that the person had 0.08 percent or more, by weight, of alcohol in his or her blood at the time of driving the vehicle if the person had 0.08 percent or more, by weight, of alcohol in his or her blood at the time of the performance of a chemical test within three hours after driving.

(c) In proving the person neglected any duty imposed by law in driving the vehicle, it is not necessary to prove that any specific section of this code was violated.

(d) This section shall become operative only upon the receipt by the Secretary of State of the notice specified in subdivision (f) of Section 23153, as added by Section 30 of Chapter 1114 of the Statutes of 1989.

## **DIVISION 12. EQUIPMENT OF VEHICLES**

### ***Application of Divisions***

**24001.** This division and Division 13 (commencing at Section 29000), unless otherwise provided, applies to all vehicles whether publicly or privately owned when upon the highways, including all authorized emergency vehicles.

### ***Vehicle Not Equipped or Unsafe***

**24002.** (a) It is unlawful to operate any vehicle or combination of vehicles which is in an unsafe condition, or which is not safely loaded, and which presents an immediate safety hazard.

(b) It is unlawful to operate any vehicle or combination of vehicles which is not equipped as provided in this code.

### ***Vehicle With Unlawful Lamps***

**24003.** No vehicle shall be equipped with any lamp or illuminating device not required or permitted in this code, nor shall any lamp or illuminating device be mounted inside a vehicle unless specifically permitted by this code. This section does not apply to:

(a) Interior lamps such as door, brake and instrument lamps, and map, dash, and dome lamps designed and used for the purpose of illuminating the interior of the vehicle.

(b) Lamps needed in the operation or utilization of those vehicles mentioned in Section 25801, or vehicles used by public utilities in the repair or maintenance of their service, or used only for the illumination of cargo space of a vehicle while loading or unloading.

(c) Warning lamps mounted inside an authorized emergency vehicle and meeting requirements established by the department.

### ***Unlawful Operation After Notice by Officer***

**24004.** No person shall operate any vehicle or combination of vehicles after notice by a peace officer, as defined in Section 830.1 or subdivision (a) of Section 830.2 of the Penal Code, that the vehicle is in an unsafe condition or is not equipped as required by this code, except as may be necessary to return the vehicle or combination of vehicles to the residence or place of business of the owner or driver or to a garage, until the vehicle and its equipment have been made to conform with the requirements of this code.

The provisions of this section shall not apply to an employee who does not know that such notice has been issued, and in such event the provisions of Section 40001 shall be applicable.

### ***Sale, Transfer or Installation of Unlawful Equipment***

**24005.** It is unlawful for any person to sell, offer for sale, lease, install, or replace, either for himself or as the agent or employee of another, or through such agent or employee, any glass, lighting equipment, signal devices, brakes, vacuum or pressure hose, muffler, exhaust, or any kind of equipment whatsoever for use, or with knowledge that any such equipment is intended for eventual use, in any vehicle, that is not in conformity with this code or regulations made thereunder.

### ***Compliance With Lighting Equipment Mounting Regulations***

**24012.** All lighting equipment or devices subject to requirements established by the department shall comply with the engineering requirements and specifications, including mounting and aiming instructions, determined and publicized by the department.

### ***Utility Flood and Loading Lamps***

**25110.** (a) The following vehicles may be equipped with utility flood or loading lamps mounted on the rear, and sides, that project a white light illuminating an area to the side or rear of the vehicle for a distance not to exceed 75 feet at the level of the roadway: . . .

(2) Ambulances used to respond to emergency calls may display utility flood and loading lights, but only at the scene of an emergency or while loading or unloading patients.



(3) Firefighting equipment designed and operated exclusively as such may display utility floodlamps only at the scene of an emergency. . . .

(6) Vehicles used by publicly or privately owned public utilities may display utility flood or loading lights when engaged in emergency roadside repair of electric, gas, telephone, telegraph, water, or sewer facilities.

(b) Lamps permitted under subdivision (a) shall not be lighted during darkness, except while the vehicle is parked, nor project any glaring light into the eyes of an approaching driver.

### ***Flashing Lights***

**25250.** Flashing lights are prohibited on vehicles except as otherwise permitted.

### ***Permitted Flashing Lights***

**25251.** (a) Flashing lights are permitted on vehicles as follows:

(1) To indicate an intention to turn or move to the right or left upon a roadway, turn signal lamps and turn signal exterior pilot indicator lamps and side lamps permitted under Section 25106 may be flashed on the side of a vehicle toward which the turn or movement is to be made.

(2) When disabled or parked off the roadway but within 10 feet of the roadway, or when approaching, stopped at, or departing from, a railroad grade crossing, turn signal lamps may be flashed as warning lights if the front turn signal lamps at each side are being flashed simultaneously and the rear turn signal lamps at each side are being flashed simultaneously.

(3) To warn other motorists of accidents or hazards on a roadway, turn signal lamps may be flashed as warning lights while the vehicle is approaching, overtaking, or passing the accident or hazard on the roadway if the front turn signal lamps at each side are being flashed simultaneously and the rear turn signal lamps at each side are being flashed simultaneously.

(4) For use on authorized emergency vehicles.

(5) To warn other motorists of a funeral procession, turn signal lamps may be flashed as warning lights on all vehicles actually engaged in a funeral procession, if the front turn signal lamps at each side are being flashed simultaneously and the rear turn signal lamps at each side are being flashed simultaneously.

(b) Turn signal lamps shall be flashed as warning lights whenever a vehicle is disabled upon the roadway and the vehicle is equipped with a device to automatically activate the front turn signal lamps at each side to flash simultaneously and the rear turn signal lamps at each side to flash simultaneously, if the device and the turn signal lamps were not rendered inoperative by the event which caused the vehicle to be disabled.

(c) Side lamps permitted under Section 25106 and used in conjunction with turn signal lamps may be flashed with the turn signal lamps as part of the warning light system, as provided in paragraphs (2) and (3) of subdivision (a).

(d) Required or permitted lamps on a trailer or semitrailer may flash when the trailer or semitrailer has broken away from the towing vehicle and the connection between the vehicles is broken.

(e) Hazard warning lights, as permitted by paragraphs (2) and (3) of subdivision (a) may be flashed in a repeating series of short and long flashes when the driver is in need of help.

### ***Warning Lamps on Authorized Emergency Vehicles***

**25252.** Every authorized emergency vehicle shall be equipped with at least one steady burning red warning lamp visible from at least 1,000 feet to the front of the vehicle to be used as provided in this code.

In addition, authorized emergency vehicles may display revolving, flashing, or steady red warning lights to the front, sides or rear of the vehicles.

### ***Flashing Headlamps on Authorized Emergency Vehicles***

**25252.5.** (a) Every authorized emergency vehicle may be equipped with a system which flashes the upper-beam headlamps of the vehicle with the flashes occurring alternately from the front headlamp on one side of the vehicle to the front headlamp on the other side of the vehicle. The flashing of the headlamps shall consist only of upper-beam flashing, and not the flashing of any other light beam.

(b) "Upper-beam headlamp," as used in this section, means a headlamp or that part of a headlamp which projects a distribution of light, or composite beam, so aimed and of such intensity as to reveal persons and vehicles at a distance of at least 350 feet ahead for all conditions of loading.

(c) The system provided for in subdivision (a) shall only be used when an authorized emergency vehicle is being operated pursuant to Section 21055.

### ***Authorized Emergency Vehicles: Additional Lights***

**25258.** (a) An authorized emergency vehicle operating under the conditions specified in Section 21055 may display a flashing white light from a gaseous discharge lamp designed and used for the purpose of controlling official traffic control signals.

(b) An authorized emergency vehicle used by a peace officer, as defined in Section 830.1 of, subdivision (a), (b), (c), (d), (e), (f), (g), or (i) of Section 830.2 of, subdivision (b) or (d) of Section 830.31 of, subdivision (a) or (b) of Section 830.32 of, Section 830.33 of, subdivision (a) of Section 830.36 of, subdivision (a) of Section 830.4 of, or Section 830.6 of, the Penal Code, in the performance of the peace officer's duties, may, in addition, display a steady or flashing blue warning light visible from the front, sides, or rear of the vehicle.

### ***Additional Warning Lights on Authorized Emergency Vehicles***

**25259.** (a) Any authorized emergency vehicle may display flashing amber warning lights to the front, sides, or rear.

(b) A vehicle operated by a police or traffic officer while in the actual performance of his or her duties may display steady burning or flashing white lights to either side mounted above the roofline of the vehicle.

(c) Any authorized emergency vehicle may display not more than two flashing white warning lights to the front mounted above the roofline of the vehicle and not more than two flashing white warning lights to the front mounted below the roofline of the vehicle. These lamps may be in addition to the flashing headlamps permitted under Section 25252.5.

### ***Use of Flashing Amber Warning Light***

**25268.** No person shall display a flashing amber warning light on a vehicle as permitted by this code except when an unusual traffic hazard exists.

### ***Use of Red Warning Light***

**25269.** No person shall display a flashing or steady burning red warning light on a vehicle except as permitted by Section 21055 or when an extreme hazard exists.

### ***Vehicle Equipment***

**26100.** No person shall sell or offer for sale for use upon or as part of the equipment of a vehicle, nor shall any person use upon a vehicle, any lighting equipment, safety glazing material, or other device that does not meet the provisions of Section 26104. This section does not apply to a taillamp or stop lamp in use on or prior to December 1, 1935.

### ***Required Laboratory Tests***

**26104.** (a) Every manufacturer who sells, offers for sale, or manufactures for use upon a vehicle devices subject to requirements established by the department shall, before the device is offered for sale, have laboratory test data showing compliance with such requirements. Tests may be conducted by the manufacturer.

(b) The department may at any time request from the manufacturer a copy of the test data showing proof of compliance of any device with the requirements established by the department and additional evidence that due care was exercised in maintaining compliance during production. If the manufacturer fails to provide such proof of compliance within 30 days of notice from the department, the department may prohibit the sale of the device in this state until acceptable proof of compliance is received by the department.

## ***Sirens***

**27002.** No vehicle, except an authorized emergency vehicle, shall be equipped with, nor shall any person use upon a vehicle any siren except that an authorized emergency vehicle shall be equipped with a siren meeting requirements established by the department.

## ***Vehicle Resembling Law Enforcement Vehicle***

**27605.** No person shall own or operate a motor vehicle painted in the manner described in Section 40800 to resemble a motor vehicle used by a peace officer or traffic officer on duty for the primary purpose of enforcing the provisions of Division 10 (commencing with Section 20000) or Division 11 (commencing with Section 21000) pursuant to Section 40800.

The provisions of this section shall not apply to vehicles which are painted one solid color or to vehicles first registered on or before January 1, 1979. These provisions shall not apply to vehicles which are any of the following:

- (a) Owned by vehicle manufacturers or dealers.
- (b) Used by law enforcement agencies in the enforcement of the provisions of Division 10 (commencing with Section 20000) or Division 11 (commencing with Section 21000).
- (c) Owned by persons or companies who use the vehicles exclusively for movie or television production and display signs stating "movie car" prominently on the doors.
- (d) Owned by persons or companies who use the vehicles exclusively for funeral escort purposes.
- (e) Motorcycles, as defined in Section 400, without insignia.

## ***Illegal Use of Light Bars***

**27606.** (a) No person shall own or operate a motor vehicle which is equipped with a light bar, or facsimile thereof, to resemble a motor vehicle used by a peace officer or traffic officer while on duty within that jurisdiction for the primary purpose of enforcing Division 10 (commencing with Section 20000) or Division 11 (commencing with Section 21000) pursuant to Section 40800.

(b) For purposes of this section the following definitions apply:

(1) A "light bar" means any light or device affixed to or mounted upon the roof of a vehicle and extending the width of the roof, or a substantial portion thereof, which emits amber, red, or blue, or any combination of those lights.

(2) A "facsimile of a light bar" is any device designed or contrived to resemble a light bar regardless of the degree of light emission or lack thereof.

## ***Identification Required***

**27900.** (a) Every motor vehicle or combination of vehicles used to carry the property of others for hire or used to carry passengers for hire, and any truck or truck tractor having three or more axles or any truck tractor with a semitrailer, shall have displayed on both sides of each vehicle or one of the vehicles in each combination of vehicles the name or trademark of the person under whose authority the vehicle or combination of vehicles is being operated or the name of the lessor or lessee thereof.

(b) All names, trademarks, and other identifiers for companies no longer in business, no longer operating with the same name, or no longer operating under the same operating authority, shall be removed from or covered over on every motor vehicle or combination of vehicles used to carry the property of others for hire or used to carry passengers for hire, and any truck or truck tractor having three or more axles or any truck tractor with a semitrailer, within 60 days from the change of company ownership or operation, and shall be remarked pursuant to subdivision (a) before those vehicles may be operated on the highways.

## ***Name and Trademark***

**27901.** The display of the name or trademark shall be in letters in sharp contrast to the background and shall be of such size, shape, and color as to be readily legible during daylight hours from a distance of 50 feet.

This section does not prohibit additional displays not inconsistent with this article.

### ***Exemption***

**27902.** Section 27900 does not apply to any motor vehicle having an unladen weight of 6,000 pounds or less or to any vehicle towed by such motor vehicles, or to any motor vehicle operating under manufacturers, dealers, or transporters special plates, or to any motor vehicle operated by a passenger stage corporation subject to the jurisdiction of the Public Utilities Commission.

### ***Fire Departments***

**27905.** It is unlawful to display on a vehicle any sign with the words "fire" or "fire department" thereon, except on vehicles owned and operated by a regularly organized fire department, fire district, forestry service, or the State Fire Marshal's Office, and on the privately owned vehicles of any regular member of any such fire departments.

## **DIVISION 17. OFFENSES AND PROSECUTION**

### ***Misdemeanors***

**40000.5.** A violation of any of the following provisions shall constitute a misdemeanor, and not an infraction:

Section 20, relating to false statements. . . .

Section 31, relating to giving false information. . . .

### ***Misdemeanors***

**40000.7.** (a) A violation of any of the following provisions is a misdemeanor, and not an infraction:

(1) Section 2416, relating to regulations for emergency vehicles.

(2) Section 2800, relating to failure to obey an officer's lawful order or submit to a lawful inspection. . . .

(8) Subdivision (c) of Section 4462, relating to the unlawful possession of devices, documents, or plates.

(9) Section 4462.5, relating to deceptive or false evidence of vehicle registration.

(10) Section 4463.5, relating to deceptive or facsimile license plates. . . .

(b) This section shall remain in effect only until January 1, 2001, and as of that date is repealed, unless a later enacted statute, that is enacted before January 1, 2001, deletes or extends that date.

**NOTE: This section remains in effect only until January 1, 2001, at which time it is inoperative and the following section becomes effective.**

**40000.7.** (a) A violation of any of the following provisions is a misdemeanor, and not an infraction:

(1) Section 2416, relating to regulations for emergency vehicles.

(2) Section 2800, relating to failure to obey an officer's lawful order or submit to a lawful inspection. . . .

(8) Section 4462.5, relating to deceptive or false evidence of vehicle registration.

(9) Section 4463.5, relating to deceptive or facsimile license plates. . . .

(b) This section shall become operative on January 1, 2001.

### ***Misdemeanors***

**40000.15.** A violation of any of the following provisions shall constitute a misdemeanor, and not an infraction:

Sections 23103 and 23104, relating to reckless driving. . . .

Section 23152, relating to driving under the influence. . . .

### ***Owner's Responsibility***

**40001.** (a) It is unlawful for the owner, or any other person, employing or otherwise directing the driver of any vehicle to cause the operation of the vehicle upon a highway in any manner contrary to law.

(b) It is unlawful for an owner to request, cause, or permit the operation of any vehicle:

- (1) Which is not registered or for which any fee has not been paid under this code.
  - (2) Which is not equipped as required in this code.
  - (3) Which does not comply with the size, weight, or load provisions of this code.
  - (4) Which does not comply with the regulations promulgated pursuant to this code, or with applicable city or county ordinances adopted pursuant to this code.
  - (5) Which is not in compliance with the provisions of Part 5 (commencing with Section 43000) of Division 26 of the Health and Safety Code and the rules and regulations of the State Air Resources Board.
- (c) Whenever a violation is chargeable to the owner or lessee of a vehicle pursuant to subdivision (a) or (b), the driver shall not be arrested or cited for the violation unless the vehicle is registered in a state or country other than California, or unless the violation is for an offense that is clearly within the responsibility of the driver. . . .
- (d) Whenever the owner, or lessee, or any other person is prosecuted for a violation pursuant to this section, the court may, on the request of the defendant, take appropriate steps to make the driver of the vehicle, or any other person who directs the loading, maintenance or operation of the vehicle, or any other person who gives false or erroneous information in a written certification of actual gross weight, a codefendant. However, the court may make the driver a codefendant only if the driver is the owner or lessee of the vehicle, or the driver is an employee or a contractor of the defendant who requested the court to make the driver a codefendant. If the codefendant is held solely responsible and found guilty, the court may dismiss the charge against the defendant.
- (e) In any prosecution under this section, it is a rebuttable presumption that any person who gives false or erroneous information in a written certification of actual gross cargo weight has directed, requested, caused, or permitted the operation of a vehicle in a manner contrary to law in violation of subdivision (a) or (b), or both.

**EXCERPTS FROM THE HEALTH AND SAFETY CODE**  
**DIVISION 12. FIRES AND FIRE PROTECTION**  
**Part 4. FIRE COMPANIES IN UNINCORPORATED TOWNS**

**Chapter 1. ORGANIZATION**

**§ 14825. Certificate; signatures; recording**

Fire companies in unincorporated towns may be organized by recording with the county recorder a certificate signed by the foreman or presiding officer and by the secretary.

**§ 14826. Contents of certificate**

The certificate shall set forth the following matters:

- (a) The date of organization.
- (b) The name of the company.
- (c) The names of the officers.
- (d) The roll of active and honorary members.
- (e) Where an ordinance has been adopted pursuant to Section 14831, a copy of the determination of the board of supervisors pursuant to Section 14831.

**§ 14827. Renewal**

The certificate shall be renewed and re-recorded every six months.

**§ 14828. Maximum number of companies**

There shall not be in any one unincorporated town more than one company for each one thousand inhabitants, but one company may be allowed in any town where the population is less than one thousand.

**§ 14829. Members of companies; maximum number**

An engine company may consist of not more than 65 certificate members; a hook-and-ladder company of not more than 65 certificate members; a hose company of not more than 25 certificate members; and a rescue squad company of not more than 25 certificate members.

**§ 14830. Officers; foreman; secretary and treasurer**

Every fire company shall choose or elect a foreman, who is the presiding officer, and a secretary and treasurer.

**§ 14831. Counties with population of 1,000,000 or more; regulation of formation and continued existence of fire companies by board of supervisors**

The board of supervisors of a county which has a population of 1,000,000 or more on or after January 1, 1985, may, by ordinance, regulate the formation and continued existence of fire companies. The board of supervisors may authorize the formation of any new fire company within the county where it determines that a reasonable level of fire services does not already exist and where the provision of supplemental or competing fire services by any other entity would not result in the mismanagement of emergencies or in confusion to those seeking aid.

The board of supervisors may order that any fire companies formed pursuant to this part may continue to exist upon making the determination that the circumstances stated above exist. The board of supervisors may, by ordinance, establish additional regulations and criteria for the establishment and ongoing operation of fire companies organized pursuant to this part.

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**EXCERPTS FROM TITLE 13, CALIFORNIA CODE OF REGULATIONS**  
**DIVISION 2. DEPARTMENT OF THE CALIFORNIA HIGHWAY PATROL**

**Chapter 2. Lighting Equipment - WARNING LAMPS**

**§ 671. General Lighting Equipment.**

Lighting equipment other than that specified in the following sections of this article shall be aimed so the center of the beam produced by the major filament is parallel to the road and projects directly to the front, side, or rear, depending on mounting location. Adjustable warning lamps in movable spotlight type housings shall be aimed in the direction selected by the vehicle driver to provide adequate warning to other traffic.

**§ 685. Installation and Maintenance.**

Lighting equipment shall be securely mounted on a rigid part of the vehicle to prevent noticeable vibration of the beam and shall be maintained with the proper aim when the vehicle is stationary and in motion. No lighting device, unless otherwise permitted, shall be mounted so any portion of the vehicle, load, or vehicle equipment interferes with the distribution of light or decreases its intensity within the photometric test angles unless an additional device is installed so the combination of the two meets these requirements. Mounting heights shall be measured from the center of the lamp or reflector to the level surface upon which the vehicle stands when it is without load.

**§ 686. Mounting of Aftermarket Devices.**

Aftermarket lamps, with orientation markings such as "top" shall be mounted in accordance with the markings. Sealed and semisealed optical units shall be installed with the lettering on the lens face right side up. Front and rear reflex reflectors shall be securely mounted on a rigid part of the vehicle with the plane of the lens perpendicular to the roadway and parallel to the rear axle. Side reflex reflectors shall be mounted with the lens face perpendicular to the roadway and parallel to the rear wheels. Aftermarket devices with nonadjustable housings shall be mounted with the base on a horizontal or vertical surface, whichever is appropriate, unless different mounting instructions are included with such devices when offered for sale.

**§ 700. Warning Lamps.**

Required front warning lamps . . . shall be mounted so the entire projected area of the lens is visible from all eye heights of drivers of other vehicles at angles within 45 deg left to 45 deg right of the front of the vehicle. If the light within these required angles is blocked by the vehicle or any substantial object on it, an additional warning lamp shall be displayed within the obstructed angle. Warning lamps may be mounted at any height.

**§ 810. Scope.**

This article applies to warning lamps for emergency vehicles . . . governed by Vehicle Code Sections 25252 through 25278.

**§ 811. Definitions.**

(a) A "warning lamp" is a lamp designed for use on authorized emergency vehicles . . . to indicate the existence of a traffic hazard or to signal other drivers to stop or yield the right of way. . . .

(e) A "flashing lamp" is a lamp in which the emitted light in a particular direction alternates between on and off either electrically by controlling the current or mechanically by a revolving, oscillating, or other mechanism.

(f) A "steady burning lamp" is a lamp in which the emitted light in any direction is uninterrupted.



#### **§ 812. Classification of Warning Lamps.**

Five classes of warning lamps are established as follows:

Class A: High intensity, concentrated-beam lamp

Class B: Moderate intensity, wide-beam lamp

Class C: High intensity, wide-beam lamp . . .

Class E: Revolving, oscillating, or gaseous discharge lamp

#### **§ 818. Type of Warning Lamps Used on Emergency Vehicles . . .**

Warning lamps on emergency vehicles . . . shall be of the following types:

(a) Required Red Warning Lamps on Authorized Emergency Vehicles. The steady burning red warning lamp required to be visible to the front of an authorized emergency vehicle by Vehicle Code Section 25252 shall be a Class A, B or C warning lamp. . . .

(b) Permitted Additional Red Warning Lamps on Authorized Emergency Vehicles. The additional steady burning or flashing red warning lamp permitted by Vehicle Code Section 25252 shall be a Class A, B, C, or E warning lamp.

(c) Permitted Yellow Warning Lamps on Authorized Emergency Vehicles. The additional flashing yellow warning lamp permitted on authorized emergency vehicles by Vehicle Code Section 25259 shall be a Class B, C, or E warning lamp. . . .

(d) Permitted Blue Warning Lamps on Police Vehicles. The additional flashing or steady burning blue warning lamp permitted by Vehicle Code Section 25258(b) shall be Class B, C, or E. . . .

### **Chapter 4. Special Equipment - SIRENS**

#### **§ 1020. Scope.**

This article applies to sirens for use on authorized emergency vehicles in accordance with Vehicle Code Section 27002.

#### **§ 1021. Definitions.**

(a) A "siren" is an audible warning device that produces the readily recognizable warning sound identified with emergency vehicles. An audible device, such as a vehicle theft alarm, that produces a sound with one or more of the following characteristics is not a siren:

(1) an unvarying sound.

(2) a varying sound that cycles at a rate faster than 400 cycles per minute.

(3) a discontinuous sound that repeats at rates lower than 90 cycles per minute or higher than 400 cycles per minute.

(4) a sound frequency (and any second harmonics) lower than 100 Hz or higher than 5,000 Hz.

(b) An "authorized emergency vehicle siren" is a device that meets the requirements of this article.

(c) An "electromechanical siren" consists of a stator and rotor driven by an electric motor.

(d) An "electronic siren" consists of an oscillator, amplifier, and speaker.

(e) A "mechanical siren" consists of a stator and rotor driven by a mechanical connection to a moving part of the vehicle or engine.

(f) "Manual" means a siren control that allows the operator to produce a wailing sound by alternately applying and releasing a momentary contact switch.

(g) "Wail" is a siren sound producing a slow, continuous automatic cycling of increasing and decreasing frequencies and sound levels.

(h) "Yelp" is a siren sound producing a rapid, continuous automatic cycling of increasing and decreasing frequencies and sound levels.

(i) "Hi-Lo" means a nonsiren sound alternating between a fixed high and a fixed low frequency. . . .

### **§ 1023. Identification Markings.**

Sirens and components shall be marked as follows:

(a) Siren Markings. Each siren shall be permanently marked with the manufacturer's or vendor's name, initials, or lettered trademark and a model designation in letters and numerals at least 3 mm (0.12 in.) in height. . . .

(d) Control Markings. Electronic siren controls shall be marked to indicate each siren function by the words "Manual," "Wail," and "Yelp" spelled out or abbreviated. Markings for other nonpermitted functions, such as "Hi-Lo," may remain on the control panel provided the function is made inoperable on sirens manufactured after January 1, 1978.

(e) Permanence of Markings. Required identification markings shall be molded, etched, embossed, stamped, engraved, or printed with epoxy paint or screening ink on the device or on a metal label of substantial thickness permanently affixed to the device by welding or metal fasteners. Speaker driver markings may be of indelible ink or nonepoxy paint when protected by coverings or they may be stamped on a metal plate attached by a screw.

(f) Visibility of Markings. Required siren markings, except those on the speaker driver and on speakers mounted within warning lamp housings, shall be clearly visible when the siren is installed on a vehicle. Amplifier markings may be on the front, top, sides, or bottom of the case provided they are in a location where they are legible to a person inspecting the component without using mirrors or removing the component when it is installed in a vehicle. . . .

### **§ 1028. Performance Requirements.**

(a) Siren Functions. Electronic sirens shall have a wail function and may also have manual and yelp functions. No other function is permitted on sirens sold after January 1, 1982, except for voice communication. . . .

### **§ 1029. Installation Requirements.**

Sirens and speakers installed on authorized emergency vehicles shall be mounted as follows:

(a) Electromechanical and Mechanical Sirens. Class A electromechanical and mechanical sirens shall be mounted outside, between the grille and radiator, or under the hood. Class B electromechanical and mechanical sirens shall be mounted outside or between the grille and the radiator. . . .

(b) Electronic Sirens. Class A and B electronic sirens installed after January 1, 1976, shall be mounted outside or with the horn opening facing forward ahead of the radiator with a relatively open path for the sound to project forward. The horn axis shall be parallel to the road and vehicle centerline.

(c) Dual Speakers. Dual speakers for electronic sirens shall be connected in phase and mounted so that the speaker axis is parallel to the vehicle centerline or angled outward not more than 10 degrees to the sides.

(d) Speakers in Lightbars. Electronic siren speakers may be mounted facing forward behind a speaker grille in a lightbar.

(e) Transfer. A siren . . . meeting the requirements established by the department at the time it was first installed on an authorized emergency vehicle may be transferred between authorized emergency vehicles by the owner or sold by the owner for use on other authorized emergency vehicles.

## **Chapter 5. Special Vehicles - AUTHORIZED EMERGENCY VEHICLES--PERMITS**

### **§ 1120. Scope of Regulations.**

The provisions of this article shall apply to authorized emergency vehicles operated under permits issued by the department pursuant to Vehicle Code Section 2416.

### **§ 1121. Permit Issuance and Retention.**

Issuance and retention of authorized emergency vehicle permits shall be subject to the following conditions.

(a) Application. A separate application for each vehicle shall be made on forms prescribed by the department.

(b) Brake Adjustment Certificate. An official brake adjustment certificate shall be submitted with each application for a permit and shall be dated not more than 45 days prior to the application date. Submission of the certificate may be waived by the department when a licensed brake adjusting station is not located within 30 miles and provided the applicant certifies that the brake system meets requirements of the Vehicle Code.

(c) Photographs. Two vehicle photographs, not less than 3 x 4 inches and taken close enough so that the vehicle fills the picture, shall be submitted, one showing the front and left side view and the other the rear and right side view. An application for reissuance of a permit need not be accompanied by new photographs, provided no changes have been made in the vehicle appearance.

(d) Vehicle Inspection Report. Each application shall include a certified departmental inspection report showing satisfactory completion of a compliance inspection performed not more than 30 days prior to the application. For an initial permit, the vehicle inspection shall be performed and the report certified by a representative of the department. For a renewal permit, the report may be certified by the permittee. Upon notice by the department, the vehicle shall be made available for an inspection by a representative of the department to verify compliance with equipment requirements.

(e) Eligibility Verification. Information may be required as needed to verify the applicant's eligibility for the permit.

(f) Permit Retention in Vehicle. The permit shall be carried in the vehicle for which it is issued.

(g) Permit Surrender and Cancellation. The permit remains the property of the department, is not transferable, and shall be surrendered to the department for cancellation upon:

- (1) Change of ownership or possession of the vehicle,
- (2) Loss of eligibility, when either the permittee or vehicle fails to meet established prerequisites,
- (3) Expiration, suspension, or revocation of the permit,
- (4) Discovery that the permit was issued through error or fraud.

(h) Permit Expiration and Reissuance. A permit for an authorized emergency vehicle shall expire not more than two years from the date of issuance or upon loss of eligibility. Expiration dates may be varied by the department as deemed necessary to facilitate scheduling of vehicle inspections. An application for reissuance may be submitted within the 30 days prior to expiration.

(i) Corrections or Changes. Corrections or any change of name, not involving a change of ownership, or a change of address or relocation of the permittee or vehicle shall be reported to the department within 10 days thereafter. Surrender of the permit for replacement to reflect such changes or other corrections may be required at the discretion of the department.

### **§ 1122. Special Requirements.**

The vehicle for which a permit is issued may be operated as an authorized emergency vehicle only when specially equipped and maintained as follows:

(a) Special Devices. Each vehicle shall be equipped with:

(1) A siren and at least one steady burning red warning lamp that meet requirements established by the department;

(2) Seat belts, or equivalent passive restraints, for each seat utilized by personnel when such vehicles are being operated.

(b) Maintenance. The body, mechanical parts of the vehicle, and all required equipment shall be maintained in serviceable condition at all times.

### **§ 1123. Prohibitions.**

Permitted authorized emergency vehicles shall not be operated displaying the red warning lamp and/or sounding a siren ("Code 3 operation") unless:

(a) Operated by the person or entity to whom the permit is issued, and

- (b) There is reasonable cause to believe that an emergency exists or to apprehend a suspected violator of the law, and
- (c) The vehicle is equipped and maintained as required by the Vehicle Code and regulations adopted herein.

**§ 1124. Permit Denial, Suspension, or Revocation.**

Grounds for denial, suspension, or revocation include but are not limited to the following:

(a) Denial.

(1) The permit shall be denied unless the vehicle, proposed usage, and the applicant qualify as specified in Vehicle Code Section 2416 and this article.

(2) The permit may be denied if the applicant has had a permit suspended or revoked or has committed any act which, if committed by any permittee, would be grounds for the suspension or revocation of a permit.

(b) Suspension or Revocation. The permit may be suspended or revoked upon a determination by the department that:

(1) The vehicle was operated as an emergency vehicle without reasonable cause.

(2) The vehicle is not equipped or maintained as required by the Vehicle Code or by regulations adopted thereunder.

(3) The vehicle or permittee no longer meets the prerequisites for the permit.

(4) The vehicle was operated in violation of any other provisions of law.